DT03 Rec'd PCT/PTO 09 JUL 2004

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Form PTO-1390-MOD (REV 10-96) — U. S. Department of Commerce Patent and Trademark Office		ATTORNEY'S DOCKET NUMBER ONC/4-32312A
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/501207
INTERNATIONAL APPLICATION NO. PCT/EP03/00232	INTERNATIONAL FILING DATE 13 January 2003 (13.01.03)	PRIORITY DATE CLAIMED 14 January 2002 (14.01.02)
TITLE OF INVENTION COMBINATIONS COMPRISING EPOTHILONES AND ANTI-METABOLITES		
APPLICANT(S) FOR DO/EO/US HOHNEKER ET AL.		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 b. ☒ has been transmitted by the International Bureau. (See Form PCT/IB/308)
 c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C.371(c)(3)).
 a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 b. ☐ have been transmitted by the International Bureau.
 c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An executed Declaration and Power of Attorney (original or copy) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included.

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.

12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.

13. ☒ A FIRST preliminary amendment.
 ☐ A SECOND or SUBSEQUENT preliminary amendment.

14. ☐ A substitute specification.

15. ☐ A change of power of attorney and/or address letter.

16. ☒ Other items or information: Unexecuted Declaration and Power of Attorney, Application Data Sheet

DT04 Rec'd PCT/PTO 09 JUL 2004

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER
10/501207	PCT/EP03/00232	ONC/4-32312A

17. ☒ The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492(a) (1)-(5)):

		CALCULATIONS PTO USE ONLY
Search Report has been prepared by the EPO or JPO	$920	
International preliminary examination fee paid to USPTO (37 CFR 1.482)	$730	
No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2))	$770	
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO	$1,080	
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)	$100	

ENTER APPROPRIATE BASIC FEE AMOUNT = $ 920

Surcharge of **$130** for furnishing the oath of declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(e)). $

CLAIMS	NUMBER FILED		NUMBER EXTRA	RATE	
Total claims	13	- 20 =	0	X $ 18	$
Independent claims	3	- 3 =	0	X $ 86	$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ $ 290	$

TOTAL OF ABOVE CALCULATIONS = $ 920

Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28). $

SUBTOTAL = $ 920

Processing fee of **$130** for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(f)). + $

TOTAL NATIONAL FEE = $ 920

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). **$40** per property + $

TOTAL FEES ENCLOSED = $ 920

Amount to be: refunded $

charged $

a. ☐ A check in the amount of $_____ to cover the above fees is enclosed.

b. ☒ Please charge Deposit Account No. 19-0134 in the name of Novartis in the amount of $920 to cover the above fees. A duplicate copy of this form is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-0134 in the name of Novartis.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

Send all correspondence to the address associated with Customer No. 001095, which is currently:

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